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VIA ELECTRONIC FILING

Anne K. Quinlan, Acting Secretary
Surface Transportation Board
395 E. Street Southwest
Washington, DC 20423-0001

RE: U.S. Rail – Construction And Operation Exemption
STB Finance Docket No. 35141

Dear Ms. Quinlan:

Please be advised that the parties are undergoing settlement negotiations. In order to maintain a non-adversarial environment and facilitate these discussions, the Town of Brookhaven respectfully requests that the Board hold in abeyance its decision on the Town's Motion to Compel (ID No. 223750) filed in the above-captioned matter until further notice from the parties regarding the status of settlement.

Should you have any questions or concerns, please call.

Very truly yours,

Jessica P. Driscoll
Jessica P. Driscoll

CC: Karen M. Wilutis, Esq.
James H. M. Savage, Esq.
John D. Heffner, Esq.